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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,694	12/12/2003	Carl E. Bohnenkamp	YOR920030531US1 (590.123)	1196
35195	7590	04/11/2006	EXAMINER	
FERENCE & ASSOCIATES 409 BROAD STREET PITTSBURGH, PA 15143			VAZQUEZ, ARLEEN M	
			ART UNIT	PAPER NUMBER
			2829	

DATE MAILED: 04/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/734,694	Applicant(s) BOHNENKAMP ET AL.	
	Examiner Arleen M. Vazquez	Art Unit 2829	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) 4 and 15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 11-14, 22 and 23 is/are rejected.
- 7) ☒ Claim(s) 5-10 and 16-21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 8-10,19-21 objected to because of the following informalities:

In claims 1 and 12 it is not clear what is the relationship between "computer chips and a plurality of components". Are the components computer chips? It is not clear how the soft-error testing is being performed and which components are employed to perform this type of testing. It is not clear what "an arrangement for automatically altering a configuration" and "a position formerly occupied" comprises of. Therefore these limitations are considered as indefinite.

Claims 2,5,8 and 11 are objected because depend on the objected claim 1.

Claim 3 is objected because depends on the objected claim 2.

Claim 6 is objected because depends on the objected claim 5.

Claim 7 is objected because depends on the objected claim 6.

Claims 9 and 10 are objected because depends on the objected claim 8.

Claims 13,16,19 and 22 are objected because depend on the objected claim 12.

Claim 14 is objected because depends on the objected claim 13.

Claim 17 is objected because depends on the objected claim 16.

Claim 18 is objected because depends on the objected claim 17.

Claims 20 and 21 are objected because depends on the objected claim 19.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3,11-14,22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable by **Homma (US 5,584,395)** in view of **Jongen et al. (US 6,433,336)**.

As to claims 1,3,12 and 14, **Homma** discloses in Fig. 2 testing of computer chips, comprising a main body (11) adapted to hold a plurality of components and an arrangement for automatically altering a configuration is made by the combination of a plurality of return spring (11h) and the solenoid-operated actuator units (11g), of said main body to move one of the components into a position formerly occupied by another of the components. It appears that the components of **Homma** are disposed at different locations along a circumferential dimension of said main body. **Homma** fails to disclose components comprising beam degraders. However, **Jongen et al.** discloses in Figs. 1a and 1b a beam degrader.

It would be obvious to one of ordinary skill in the art at the time the invention was made to provide as part of the components a beam degrader or any other component, since the type of the component is not given any patentable weight.

As to claims 2 and 13, **Homma** discloses in Fig. 2 and 3 a main body comprising a rotatable disk (11b) and an arrangement (the combination of shaft member (11k) and electric motor unit (11m)) for rotating the main body.

As to claims 11 and 22, **Homma** discloses in Fig. 3 an index arrangement (11o), to ensure precise positioning of the components.

As to claim 23, **Homma** discloses in Fig. 3 a program storage device (11q) readable by machine, tangibly embodying a program of instructions executable by the machine to perform the method steps mentioned previously by the main body, but fails to disclose components comprising beam degraders. However, **Jongen et al.** discloses in Figs. 1a and 1b a beam degrader.

It would be obvious to one ordinary skill in the art at the time the invention was made to provide as part of the components a beam degrader or any other component, since the type of the component is not given any patentable weight.

Response to Arguments

4. Applicant's arguments filed March 28, 2006 have been fully considered but they are not persuasive.

Argument of "There is no indication of how an energy beam would or could be directed toward a degrader" as recited in page 10, examiner considered this an improper argument because the claimed invention of claims 1 and 12 does not express the relation, position or functionality of a beam degrader with the other parts of the claimed invention. An invention as a structure may have different intended uses, but the

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difference between them is the dependability of their components to work as unique inventions. For example, there is a "cup holder" but with just the structure of the "cup holder" also allow me to hold a "jar" or a "glass" as long as these fulfill the dimensions of the structure of the "cup holder". The description of the "cup holder" has to describe more than just the structure to make it unique.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arleen M. Vazquez whose telephone number is 571-272-2619. The examiner can normally be reached on Monday to Friday, 8am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on 571-272-2034. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AMV


VINH NGUYEN
PRIMARY EXAMINER
A.U. 2829
04/07/06